

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

----- X  
:  
In re: :  
:  
:  
THE FINANCIAL OVERSIGHT AND : PROMESA  
MANAGEMENT BOARD FOR PUERTO RICO, : Title III  
:  
as representative of : Case No. 17-BK-3283 (LTS)  
:  
THE COMMONWEALTH OF PUERTO RICO *et al.*, : (Jointly Administered)  
:  
Debtors.<sup>1</sup> :  
----- X

----- X  
:  
In re: :  
:  
:  
THE FINANCIAL OVERSIGHT AND : PROMESA  
MANAGEMENT BOARD FOR PUERTO RICO, : Title III  
:  
as representative of : Case No. 17-BK-3566 (LTS)  
:  
THE EMPLOYEES RETIREMENT SYSTEM OF THE : **This filing relates only to**  
GOVERNMENT OF THE COMMONWEALTH OF : **Debtor ERS and shall be**  
PUERTO RICO, : **Filed in the lead Case No.**  
:  
Debtor. : **17-BK-3283 (LTS) and**  
: **Case No. 17-BK-3566 (LTS)**  
----- X

**AMENDED<sup>2</sup> INFORMATIVE MOTION REGARDING NOTICES OF PARTICIPATION  
AND NOTICES OF APPEARANCE FILED IN CONNECTION WITH  
OBJECTIONS TO ERS BOND CLAIMS**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> The informative motion [Docket No. 9331 in Case No. 17-BK-3238 (LTS) and Docket No. 723 in Case No. 17-BK-3566 (LTS)] has been amended to attach a corrected list of parties that submitted Notices of Participation as of November 18, 2019. Certain parties were inadvertently omitted from the list previously filed.

To the Honorable United States District Judge Laura Taylor Swain:

The Official Committee of Unsecured Creditors (the “Committee”),<sup>3</sup> the Official Committee of Retired Employees of the Commonwealth of Puerto Rico (the “Retiree Committee”), the Financial Oversight and Management Board for Puerto Rico as representative of the Commonwealth of Puerto Rico (the “FOMB”), and the Special Claims Committee of the Financial Oversight and Management Board for Puerto Rico as representative of ERS (together with the Committee, Retiree Committee, and FOMB, the “Objectors”) hereby submit this amended informative motion pursuant to the Court’s *Order Establishing Initial Procedures with Respect to (I) Objections of Official Committee of Unsecured Creditors and Official Committee of Retired Employees, Pursuant to Bankruptcy Code Section 502 and Bankruptcy Rule 3007, to Claims Asserted by Holders of Bonds Issued by Employees Retirement System of Government of Commonwealth of Puerto Rico, (II) Count One of Certain Complaints Alleging that Such Bonds Were Issued Ultra Vires and (III) Establishing Claim Objection Deadline for Certain ERS Bond Claims* [Docket No. 8818] (the “Initial Objection Procedures Order”),<sup>4</sup> and respectfully state as follows:

1. On October 7, 2019, the Court entered the Initial Objection Procedures Order, which approved and incorporated by reference certain Initial Objection Procedures, attached as Exhibit 2 to the Initial Objection Procedures Order, in connection with the Claim Objections seeking to disallow certain claims filed or asserted by holders of ERS Bonds.<sup>5</sup>

---

<sup>3</sup> The Committee is the official committee of unsecured creditors for all Title III Debtors, other than PBA and COFINA.

<sup>4</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in the Initial Objection Procedures Order and the exhibits thereto.

<sup>5</sup> Initial Obj. Procedures Order, ¶ 3.

2. The Initial Objection Procedures required, among other things, that parties in interest wishing to participate in the litigation of the Claim Objections serve and file a Notice of Participation by November 18, 2019 (the “Participation Deadline”) indicating, among other things, whether the Participant supports or opposes the Claim Objections, and the name, address, and email address of the Participant and its counsel, if any.<sup>6</sup> The Initial Objection Procedures also required that AP Defendants file a Notice of Appearance to the extent they had not already done so, unless such AP Defendant is a Deemed Participant.<sup>7</sup>

3. In addition, the Initial Objection Procedures provide that, “[o]n the date that is five (5) days after the Participation Deadline, the Objectors shall file with the District Court a list of all parties that filed Notices of Participation, their counsel, and whether such Participants support or oppose the Claim Objections. The Objectors shall also file with the District Court a list of all AP Defendants that filed Notices of Appearance and their counsel. Such lists will be updated as necessary every thirty (30) days to reflect any late-filed or updated Notices of Participation and Notices of Appearance.”<sup>8</sup>

4. Pursuant to the Initial Objection Procedures Order and the Initial Objection Procedures, the Objectors hereby file (1) the list of parties that have filed Notices of Participation, along with required related information, attached hereto as **Exhibit A**; and (2) the list of AP Defendants that filed Notices of Appearance and their counsel, attached hereto as **Exhibit B**.

*[Remainder of page intentionally left blank.]*

---

<sup>6</sup> Initial Obj. Procedures, at 4-5.

<sup>7</sup> *Id.* at 5.

<sup>8</sup> *Id.* at 5-6.

WHEREFORE, the Objectors respectfully request that the Court take notice of the above.

Dated: December 2, 2019

By: /s/ Luc A. Despins  
**PAUL HASTINGS LLP**  
Luc. A. Despins, Esq. (*Pro Hac Vice*)  
James R. Bliss, Esq. (*Pro Hac Vice*)  
James B. Worthington, Esq. (*Pro Hac Vice*)  
G. Alexander Bongartz, Esq. (*Pro Hac Vice*)  
200 Park Avenue  
New York, New York 10166  
Telephone: (212) 318-6000  
lucdespins@paulhastings.com  
jamesbliss@paulhastings.com  
jamesworthington@paulhastings.com  
alexbongartz@paulhastings.com

*Counsel to the Official Committee of Unsecured Creditors*

By: /s/ Juan J. Casillas Ayala  
**CASILLAS, SANTIAGO & TORRES LLC**  
Juan J. Casillas Ayala, Esq. (USDC - PR 218312)  
Israel Fernández Rodríguez, Esq. (USDC - PR 225004)  
Juan C. Nieves González, Esq. (USDC - PR 231707)  
Cristina B. Fernández Niggemann, Esq. (USDC - PR 306008)  
PO Box 195075  
San Juan, Puerto Rico 00919-5075  
Telephone: (787) 523-3434 Fax: (787) 523-3433  
jcasillas@cstlawpr.com  
ifernandez@cstlawpr.com  
jnieves@cstlawpr.com  
cfernandez@cstlawpr.com

*Local Counsel to the Official Committee of Unsecured Creditors*

By: /s/ Martin J. Bienenstock

**PROSKAUER ROSE LLP**

Martin J. Bienenstock (*Pro Hac Vice*)

Brian S. Rosen (*Pro Hac Vice*)

Jeffrey W. Levitan (*Pro Hac Vice*)

Margaret A. Dale (*Pro Hac Vice*)

Eleven Times Square

New York, NY 10036

Tel: (212) 969-3000

Fax: (212) 969-2900

*Attorneys for the Financial Oversight and Management  
Board for Puerto Rico as representative for the Debtors*

By: /s/ Luis F. del Valle-Emmanuelli

Luis F. del Valle-Emmanuelli USDC-PR No. 209514

P.O. Box 79897

Carolina, PR 00984-9897

Tel: (787) 977-1932

Fax: (787) 722-1932

dvelawoffices@gmail.com

OF COUNSEL FOR

A&S LEGAL STUDIO, PSC

434 Avenida Hostos San Juan, PR 00918

Tel: (787) 751-6764 / 763-0565

Fax: (787) 763-8260

*Attorneys for the Financial Oversight and Management  
Board for Puerto Rico as representative of the  
Employees Retirement System of the Government of the  
Commonwealth of Puerto Rico*

By: /s/ Edward S. Weisfelner

**BROWN RUDNICK LLP**

Edward S. Weisfelner, Esq. (*Pro Hac Vice*)

Seven Times Square

New York, NY 10036

Tel: (212) 209-4800

eweisfelner@brownrudnick.com

Sunni P. Beville, Esq. (*Pro Hac Vice*)

One Financial Center

Boston, MA 02111

Tel: (617) 856-8200

sbeville@brownrudnick.com

*Counsel to the Special Claims Committee*

By: /s/ Alberto Estrella

**ESTRELLA, LLC**

Alberto Estrella (USDC-PR 209804)

Kenneth C. Suria (USDC-PR 213302)

P. O. Box 9023596

San Juan, Puerto Rico 00902-3596

Tel.: (787) 977-5050

Fax: (787) 977-5090

*Local Counsel to the Special Claims Committee*

By: /s/ Robert Gordon

**JENNER & BLOCK LLP**

Robert Gordon (admitted *pro hac vice*)

Richard Levin (admitted *pro hac vice*)

919 Third Ave

New York, NY 10022-3908

rgordon@jenner.com

rlevin@jenner.com

212-891-1600 (telephone)

212-891-1699 (facsimile)

Catherine Steege (admitted *pro hac vice*)

Melissa Root (admitted *pro hac vice*)

Landon Raiford (admitted *pro hac vice*)

353 N. Clark Street

Chicago, IL 60654

csteegen@jenner.com

mroot@jenner.com

lraiford@jenner.com

312-222-9350 (telephone)

312-239-5199 (facsimile)

By: /s/ A.J. Bennazar-Zequeira

**BENNAZAR, GARCÍA & MILIÁN, C.S.P**

A.J. Bennazar-Zequeira

Héctor M. Mayol Kauffmann

Francisco del Castillo Orozco

Edificio Union Plaza,

1701 Avenida Ponce de León #416

Hato Rey, San Juan

Puerto Rico 00918

ajb@bennazar.org

hector.mayol@bennazar.com

787-754-9191 (telephone)

787-764-3101 (facsimile)

*Counsel for The Official Committee of Retired  
Employees of Puerto Rico*